

**DOCKET NO. 3:94-CR-109-FDW**

**Defendant.**

3. The full record before the Court reflects a defendant with above-average experience with the manufacture and sale of crack cocaine and a history of possessing firearms during and in relation to


drug trafficking crimes, but who also has displayed good conduct and some rehabilitative potential while in prison.


4. Upon consideration of the sentencing factors set forth in 18 U.S.C. § 3553(a), the possible threat to public safety posed by the early release of a person with this defendant's criminal predispositions, and this defendant's post-sentencing conduct, the court finds:

- a. That the defendant should receive some benefit from the retroactive application of Amendment 706, but that a reduction to Time Served is inappropriate; and
- b. That a sentence of **195 months** is adequate, but no greater than necessary, to accomplish the objectives of 18 U.S.C. § 3553(a), while a further reduction would frustrate those objectives.<sup>1</sup>

An appropriate Order shall issue separately.

Signed: August 11, 2008

  
Frank D. Whitney  
United States District Judge



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<sup>1</sup>The Court notes that it is not required under Fourth Circuit case law to undertake an exhaustive analysis of all of the § 3553(a) factors in this Order. See United States v. Legree, 205 F.3d 724, 728-29 (4th Cir. 2000).